

LITTLER MENDELSON, P.C.  
A. Michael Weber (AW-8760)  
Michael P. Pappas (MP-6716)  
Elena Paraskevas-Thadani (EP-7758)  
885 Third Avenue  
New York, New York 10022  
(212) 583-9600

Attorneys for Defendants

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARY ROZELL,

Plaintiff,

-against-

COURTNEY ROSS-HOLST, an individual,  
ANDCO, LLC, a corporation, and NEIL  
PIROZZI, an individual,

Defendants.

05 CV 2936 (JGK) (JCF)

**DECLARATION OF  
MICHAEL P. PAPPAS**

Michael P. Pappas, an attorney duly admitted to this court, hereby declares under penalty of perjury as follows:

1. I am a member of the firm Littler Mendelson, P.C., attorneys of record for the Defendants in this action. I make this declaration in support of Defendants' Motion for Summary Judgment.
2. Attached hereto as Exhibit 1 are true and accurate copies of documents produced by Plaintiff in discovery and represented as documents that were contained on her work computer at Andco.
3. Attached hereto as Exhibit 2 are true and correct copies of an e-mail and attachment that Plaintiff sent to herself on April 28, 2004, the day she was discharged by Andco.

4. Attached hereto as Exhibit 3 are true and accurate copies of two e-mails dated May 6, 2004, which were produced by Plaintiff in discovery and represented to have been authored by Plaintiff.

5. Attached hereto as Exhibit 4 is a true and accurate copy of AOL's "Terms of Use," which I printed from AOL.com on August 23, 2006.

6. Attached hereto as Exhibit 5 are true and accurate copies of two e-mails dated May 18, 2004, which were produced by Plaintiff in discovery and represented to have been authored by Plaintiff.

7. Attached hereto as Exhibit 6 are true and accurate pages from Plaintiff's 2004 and 2005 calendars (redacted to exclude irrelevant matter), which were produced by Plaintiff in discovery and represented to have been authored by Plaintiff.

8. Attached hereto as Exhibit 7 are true and accurate copies of documents produced by Plaintiff in discovery that are represented to be documents evidencing Plaintiff's job search efforts subsequent to her discharge from Andco.

9. Attached hereto as Exhibit 8 are true and accurate copies document produced by Plaintiff in discovery that are purported to be the e-mails that Neil Pirozzi accessed from the AOL account that Andco provided to Plaintiff during her Andco employment.

10. Attached hereto as Exhibit 9 are true and accurate copies of pages from the transcript of Plaintiff Mary Rozell's deposition, which was taken on February 1, 2006.

11. Attached hereto as Exhibit 10 are true and accurate copies of pages from the transcript of Elizabeth Arnold's deposition, which was taken on June 26, 2006.

12. Attached hereto as Exhibit 11 are true and accurate copies of pages from the transcript of Melissa Gahafer's deposition, which was taken on June 29, 2006.

13. Attached hereto as Exhibit 12 are true and accurate copies of pages from the transcript of Richard Halperin's deposition, which was taken on May 23, 2006.

14. Attached hereto as Exhibit 13 are true and accurate copies of pages from the transcript of Tiffany Ketchum's deposition, which was taken on June 19, 2006.

15. Attached hereto as Exhibit 14 are true and accurate copies of pages from the transcript of Kristin McCauley's deposition, which was taken on June 13, 2006.

16. Attached hereto as Exhibit 15 are true and accurate copies of pages from the transcript of Darius Narizzano's deposition, which was taken on July 13, 2006.

17. Attached hereto as Exhibit 16 are true and accurate copies of pages from the transcript of Neil Pirozzi's deposition, which was taken on May 2, 2006.

18. Attached hereto as Exhibit 17 are true and accurate copies of pages from the transcript of Leah Ross's deposition, which was taken on June 7, 2006.

19. Attached hereto as Exhibit 18 are true and accurate copies of pages from the transcript of Courtney Sale Ross's deposition, which was taken on April 25, 2006.

20. Attached hereto as Exhibit 19 are true and accurate copies of pages from the transcript of Tasha Seren's deposition, which was taken on June 14, 2006.

21. Attached hereto as Exhibit 20 are true and accurate copies of pages from the transcript of Stephen Szczepanek's deposition, which was taken on June 1, 2006.

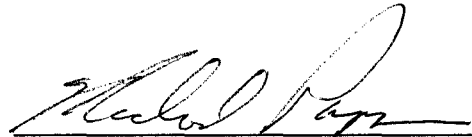
22. Attached hereto as Exhibit 21 are true and accurate copies of Exhibits A, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, FF, EEE, FFF, GGG, and HHH to the deposition of Plaintiff Mary Rozell.

23. Attached hereto as Exhibit 22 are true and accurate copies of Exhibits TS-10, TS-11, TS-17, TS-18, TS-21, TS-22, TS-23, TS-24, TS-26, TS-27, TS-28, TS-29, TS-30, TS-31, TS-32, TS-33, TS-34, TS-35, TS-55, and TS-56 to the deposition of Tasha Seren.

24. Attached hereto as Exhibit 23 is a true and accurate copy of Exhibits 14 to the deposition of Stephen Szczepanek.

25. Attached hereto as Exhibit 24 is the Declaration of Gregory Shaheen dated August 31, 2006.

Dated: August 31, 2006



Michael P. Pappas